

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RASHAUN BLANFORD,

Plaintiff,

-against-

**DECLARATION OF
WILLIAM SNYDER**

21-CV-0231

CORRECTION OFFICER S. BANKS, et al.,

TJM/CFH

Defendants.

WILLIAM SNYDER, on the date noted below and pursuant to Section 1746 of Title 28 of the United States Code, declares the following to be true and correct under penalty of perjury under the laws of the United States of America:

1. I am employed by the New York State Department of Corrections and Community Supervision ("DOCCS").
2. I currently hold the position of Deputy Superintendent of Security at Marcy Correctional Facility ("Marcy C.F.") in Marcy, New York. I have held this position since March, 2021. Prior to being promoted to Deputy Superintendent of Security at Marcy C.F. I served as the acting Deputy Superintendent of Security at Marcy C.F. for approximately a year and a half.
3. I have worked for DOCCS since 1988.
4. Among my duties as Deputy Superintendent of Security, I am responsible for producing CDs/DVDs from data on the Verint security system used at Marcy C.F. As such, I am thoroughly familiar with the Verint system and its operation.
5. The Verint system does not contain videotape but is digital.

6. Prior to 2022 when we began producing video footage on thumb drives, the procedure of producing a CD or DVD required (i) reviewing the Verint data to locate the precise time and location of the stored data off of the server, (ii) exporting that data to a temporary file, and (iii) transferring that exported data to a DVD recorder, and (iv) labeling the videotape/DVD with relevant data.

7. Among my duties as Deputy Superintendent of Security, I obtain and securely store DVDs of footage captured from the Verint system cameras located at Marcy C.F. after any significant incident, such as unusual incidents and uses of force.

8. Following a significant incident, the Verint system is checked to verify that the data requested is available. If the data is available, a DVD of the specific incident requested is produced. When producing a DVD, the description of the incident as outlined in the request is reviewed to ensure that the entire incident (i.e., location, time, and events described therein) is captured.

9. At the request of the Office of the Attorney General, I directed that a duplicate DVD be produced of the alleged February 2, 2021 incident at Marcy C.F. involving incarcerated individual Rashaun Blanford.

10. The duplicate DVD produced was for approximately 7 minutes of footage from the Verint cameras noted above, starting at 12:32 hrs.

11. No other duplicate DVDs involving the February 2, 2021 alleged incident referenced above concerning Mr. Blanford were produced from the Verint System.

12. The Verint system only has the capacity to store 30 to 45 days of data. Therefore, requests for data made more than 30 to 45 days from the date it was recorded cannot be processed, as the system would no longer contain the data and there is no way it can be recovered if it were not already copied and retained.

13. The Verint system does not enable the data contained thereon to be altered.

14. Any loss or distortion of audio and/or video that may be present on a preserved DVD is caused by equipment failure.

15. Any data stored on the Verint system contains the date and time the data was recorded and is indicated in the bottom left-hand corner of the data. The time counter uses military time and counts the hour, minute, and seconds the stored data was recorded.

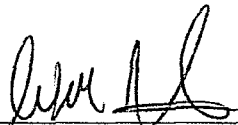
16. The date and time counter is used to locate the precise date and time of the stored data being requested to produce a DVD.

17. I have viewed the DVD produced regarding the alleged February 2, 2021 incident and I can state with certainty that there is no interruption in the date and time counter on the DVD. A copy of the duplicate DVD of the February 2, 2021 incident is being provided to the Court under separate cover.

18. Further, upon my review of the DVD I have noted that there is some distortion of video footage, namely that the size of the play back screen is approximately one quarter of the screen, however, I do not believe the audio or video footage is altered in any way.

Dated: September 23, 2022

Marcy, New York



WILLIAM SNYDER

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EXHIBIT A -- VIDEO

(Confidential and Submitted for In-Camera Review)